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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,177	11/27/2000	Frederick W. Ryan JR.	F-211	3933

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EXAMINER

COSIMANO, EDWARD R

ART UNIT PAPER NUMBER

3639

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/722,177

Applicant(s)

RYAN, FREDERICK W.

Examiner

Edward R. Cosimano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

✓

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1. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.52, 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).

2. Claims 1-32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2.1 In regard to claims 1, 9, 17 & 25, although one of ordinary skill at the time of the invention would know how to accomplish each of the individual recited actions/functions from the language of these claims, since, there is no clear and definite interconnection between one or more of the recited limitations of these claims, that is essential information/data and/or structure is missing so that as claimed invention does not work as a whole toward accomplishing the desired results and therefore one of ordinary skill could not determine from the language of these claims whether or not they are in fact making and/or using what applicant has disclosed and claimed as the invention. In this regard it is noted that from the language of these claims it is vague, indefinite and unclear:

A) in regard to claims 1, 9, 17 & 25, and how the "secure print head" may "print forensic evidence of the authenticity of the postal indicia" as required in the last limitation of each claim, since the claimed system/process of these claims does not generate or receive or acquire the "forensic evidence" so that the forensic evidence may be printed as recited in the claim. It is noted that as one of ordinary skill at the time of the invention a postage indicia may or may not include verification information, since early postage metering systems did not have the capability of including authentication/verification information in the postage indicia.

2.2 In regard to claim 25, since as recited in this claim neither the "content data" that is printed by the "unsecure print head" nor the "forensic evidence" that is printed by the "secure print head" contain "non-authorization data", it is unclear how a document containing "non-authorization data" may be printed by the document printing system as recited as the purpose/function of this claim.

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2.3 Claims not specifically mentioned above, inherit the defects of the base claim through dependency. For the above reason, applicant has failed to particularly point out what is regarded as the invention.

3. The following is an Examiner's Statement of Reasons for Allowance over the prior art:

A) in regard to claims 1, 9, 17 & 25 the prior art does not teach or suggest a system/method of printing a postage indicia by using a single printer with a first unsecured print head to print non-authentication or non-verification information and a second secure print head to print the authentication/verification information contained in the postage indicia. Claims 2-8, 10-16, 18-24 & 26-32 are allowable for the same reason.

4. The examiner has cited prior art of interest, for example:

A) Lupkas et al (3,889,592) which discloses a printer with two print heads that cooperate together to print a document.

5. Claims 1, 9, 17 & 25 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112. Claims 2-8, 10-16, 18-24 & 26-32 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims. As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b) and section 707.07(a) of the M.P.E.P.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (571) 272-6802. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (571) 272-6812. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-3600.

6.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (571) 273-6802.

6.2 The fax phone number for OFFICIAL FAXES is (703) 872-9306.

6.3 The fax phone number for AFTER FINAL FAXES is (703) 872-9306.

06/16/05

A handwritten signature in cursive script that reads "Edward Cosimano".

Edward R. Cosimano
Primary Examiner A.U. 3639